

CITY OF SAN MARCOS

Proposition N

(This proposition will appear on the ballot in the following form.)

PROP N

Shall ordinance No. 2006-1258, adopted by the City Council establishing the Ridgeline Protection & Management Overlay Zone, be approved by the voters of the City of San Marcos and be further amended to require ratification by the voters of the City for any future modifications?

This proposition requires approval by a simple majority (over 50%)
of the voters voting on the proposition.

Full text of this proposition is available from the election official's office at
760-744-1050, x-3145 or on the City's website at www.san-marcos.net

CITY ATTORNEY IMPARTIAL ANALYSIS

You are asked to vote on whether existing provisions of Chapter 20.131 of the San Marcos Municipal Code, relating to the Ridgeline Protection and Management Overlay Zone, should be amended only by a majority vote of the qualified electorate.

Chapter 20.131 of the San Marcos Municipal Code ("the Chapter") was adopted in 2006 by the City Council pursuant to Ordinance No. 2006-1258, which Ordinance provided that it would be placed before the voters at this time for a determination as to whether it should be further amended to require ratification by a majority vote of the qualified electorate for any future modifications.

The Chapter provides development regulations for specified ridgeline areas within the City's jurisdictional boundaries. The "Purpose and Intent" section of the Chapter notes that the purpose "is to preserve Primary Ridgelines in their natural state and minimize visual impact to Secondary Ridgelines through a "Ridgeline Overlay Zone" that protects natural viewsheds, unique natural resources, minimizes the physical impacts to ridgelines, and establishes innovative site and architectural design standards. Furthermore, in adopting this ordinance, it is the desire of the City Council to have as little financial impact as possible on single family property owners while still meeting the intent of the ordinance."

The regulations established Primary and Secondary Ridgelines in three areas of the City: (i) North City Area #1, located in the College Area Community Plan and Twin Oaks Valley Community, including portions of "P" Mountain and Owens Peak; (ii) South East and West City Area #2, located in the Questhaven/La Costa Meadows Community Plan, which includes Frank's Peak and a portion of Mount Whitney, and includes Double Peak and Cerro de Las Posas as defined by the San Elijo Hills Specific Plan; (iii) Southern City Area #3 is located in the Questhaven/La Costa Meadows Community Plan, and includes a southerly Primary Ridgeline extending from east to west south of the San Marcos abandoned landfill.

Under the existing regulations, persons who wish to construct two or more main structures or parcels within a Primary or Secondary Ridgeline setback area that involves grading or construction into or within the areas identified on the City's Ridgeline Overlay Zone Map must obtain a Ridgeline Development Permit from the City. The construction of a single-family residence on a legal lot does not require a Ridgeline Development Permit, but the development regulations of the Chapter must be met. The Planning Commission may modify the regulations under certain circumstances. Modification or expansion of existing residences may trigger Ridgeline Protection requirements if they exceed specified parameters.

A "yes" vote is a vote in favor of limiting current and future City Councils so they cannot amend the Ridgeline Protection and Management Overlay Zone regulations [Chapter 20.131 of the San Marcos Municipal Code] without a majority vote of the qualified electorate.

A "no" vote is a vote against limiting current and future City Councils with respect to the Ridgeline Protection and Management Overlay Zone, and the City Council will retain the ability to amend such regulations.

The above statement is an impartial analysis of Proposition N. If you desire a copy of the measure, please contact the election official's office at 760-744-1050, x-3145 and a copy will be provided at no cost. You may also access the full text of the measure on the City's web site at www.ci.san-marcos.net

ARGUMENT IN FAVOR OF PROPOSITION N

No argument in favor of the proposition was filed
in the office of the City Clerk.

ARGUMENT AGAINST PROPOSITION N

No argument against the proposition was filed
in the office of the City Clerk.